

MR2685-145

Serial Number: 10/648,217

Reply to Office Action dated 19 January 2007

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REMARKS/ARGUMENTS

This case has been carefully reviewed and analyzed in view of the Office Action dated 19 January 2007. Responsive to that Office Action, Claim 2 has been canceled and Claim 1 is amended for further prosecution with the other pending Claim. It is believed that with such amendment of Claim 1, there is a further clarification of the pending Claims' recitations.

In the Office Action, the Examiner rejected Claim 1 under 35 U.S.C. § 102(b) as being anticipated by the WO '148 reference. In setting forth this rejection, the Examiner stated that the WO '148 reference discloses a composition comprising CaO, SiO₂, B₂O₃, MgO, CaF₂ and P₂O₅.

As newly-amended independent Claim 1 and original independent claim 3 each clearly recite, Applicant's composition is one which is composed of specific percentages by weight of its specified ingredients. For example, the composition includes "41.40~45.75% by weight" of calcium oxide.

The full combination of these and other features now more clearly recited by Applicant's pending Claims is nowhere disclosed by the cited reference. Note in this regard that the WO '148 reference specifically prescribes calcium oxide having a weight percentage of 10-30%. Such is clearly outside Applicant's claimed range of 41.40~45.75% by weight and thus cannot anticipate or make obvious the invention as now claimed.

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It is now believed that the subject Patent Application has been placed in condition for allowance, and such action is respectfully requested.

No fees are believed to be due with this Amendment. If there are any charges associated with this filing, the Honorable Commissioner for Patents is hereby authorized to charge Deposit Account #18-2011 for such charges.

Respectfully submitted,
For: ROSENBERG, KLEIN & LEE



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Dated: 4/18/07


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4-18-07

Date



Morton J. Rosenberg